

741014.1021

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Carlos Alberto GODOY  
Serial No. : 10/662,688  
Filed : September 12, 2003  
For : DIFFERENTIATED RIGIDITY SWIMMING  
FIN WITH HYDRODYNAMICALLY DESIGNED  
REARWARD SHOE STRAP CONNECTION  
Group Art Unit : 3617  
Examiner : Not yet assigned

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith information which he believes may be material to examination of this Application, in respect of which there may be a duty to disclose in accordance with 37 C.F.R. §§ 1.56 and 1.97.

While this Information Disclosure Statement may be material pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that the information referred to therein is "prior art" to Applicant's invention unless designated as such.

In accordance with 37 C.F.R. § 1.97, the filing of this Statement shall not be construed to be an admission that the information attached to this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56.

By this submission, Applicant also does not represent that a search has been made nor that better art does not exist.

In addition, Applicant reserves the right to contend, as appropriate, that any information asserted against any claim(s) of the captioned Application is not "prior art" according to the facts and the law.

Applicant further reserves the right to present appropriate arguments and/or evidence to establish patentability over such information, should any citation listed below be applied against any claim(s) of the captioned Application.

Applicant respectfully requests that the Examiner, after considering the information set forth below, independently determine those citations which the Examiner would consider to be the most pertinent.

Copies of the following citations are submitted along with PTO Form-1449.

Testa, U.S. Patent No. 6,568,973, issued May 27, 2003: relates to a swim or dive fin.

Kawashima et al., U.S. Patent No. 6,398,604, issued June 4, 2002: is directed to a combination of strap and buckle for diving fins.

Viale et al., U.S. Patent No. 6,364,728, issued April 2, 2002: discloses a swimming flipper with controlled-flexibility blade.

Godoy, U.S. Patent No. Des. 421,474, issued March 7, 2000: concerns a swimming fin.

Cressi, U.S. Patent No. Des. 382,322, issued August 12, 1997: relates to a swimming fin.

Garofalo, U.S. Patent No. 5,588,890, issued December 31, 1996: is directed to a swimming fin.

Dagnino, U.S. Patent No. Des. 350,801, issued September 20, 1994: discloses a swimming fin.

Takizawa, U.S. Patent No. 5,304,081, issued April 19, 1994: concerns a swim fin.

Garofalo, U.S. Patent No. 4,887,985, issued December 19, 1989: relates to a swim fin provided with a self-shaping, fluid flow conveying and controlling canal-like member.

It is requested that the above be made of record in this Application.

Respectfully submitted,

Dated: February 14, 2004

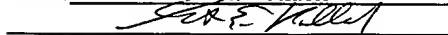


Grant E. Pollack, Esq.  
Registration No. 34,097  
Steinberg & Raskin, P.C.  
1140 Avenue of the Americas, 15<sup>th</sup> Floor  
New York, New York 10036  
(212) 768-3800, Ext. 253

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

On February 14, 2004

Name Grant E. Pollack



Signature

Attorney for Applicant

FORM PTOL 449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:  
741014.1021

SERIAL NO.: 10/662,688

**LIST OF REFERENCES CITED BY APPLICANT**  
(Use several sheets if necessary)

APPLICANT(S): Carlos Alberto GODOY

FILING DATE: 09/12/03

GROUP: 3617

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	6 5 6 8 9 7 3	05/27/2003	Testa	441	64	
	6 3 9 8 6 0 4	06/04/2002	Kawashima et al.	441	64	
	6 3 6 4 7 2 8	04/02/2002	Viale et al.	441	64	
	D 4 2 1 4 7 4	03/07/2000	Godoy	D21	806	
	D 3 8 2 3 2 2	08/12/1997	Cressi	D21	239	
	5 5 8 8 8 9 0	12/31/1996	Garofalo	441	64	
	D 3 5 0 8 0 1	09/20/1994	Dagnino	D21	239	
	5 3 0 4 0 8 1	04/19/1994	Takizawa	441	64	
	4 8 8 7 9 8 5	12/19/1989	Garofalo	441	64	

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.